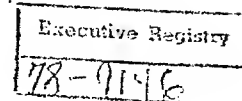
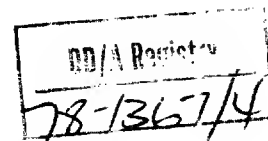


OGC Has Reviewed

10 MAY 1978



MEMORANDUM FOR: Director of Central Intelligence
 THROUGH : Deputy Director of Central Intelligence
 FROM : John H. Waller
 Inspector General
 SUBJECT : Revision of [redacted]



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1. Action Requested: Approval of the recommendation in paragraph 3 to delete those provisions of Annex E of [redacted] which require the Inspector General to make recommendations to the Director on CIA activities which involve assistance to or from other government components. This recommendation is brought to your attention in response to the requirement in [redacted] (Restrictions on Intelligence Activities) that amendments to that regulation have your approval.

2. Discussion:

a. The present Annex E of [redacted] (attached) prescribes the procedures for obtaining approval for CIA components to give or receive assistance from other government agencies. It contains a requirement that Deputy Directors and Heads of Independent Offices send to the Inspector General requests to start or continue relationships with other agencies that have significant policy or resource implications as well as those for which the legality or propriety had not previously been established. (See paragraph (3) of Annex E) The Inspector General is then required to recommend initiation, continuation, termination, or modification of these relationships. These requirements were established in 1974 as part of the Director's efforts to ensure management control over the Agency's response to requests from other agencies for CIA assistance and support.

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b. Our review of the Inspector General's role in this process has led us to the conclusion that this Office should not be involved in the management approval of these requests. We have found that the information made available, and the time constraints involved for review and approval, rarely permit thorough and meaningful assessment of the proposed

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cc:

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relationship; the proposals involve issues of policy, resources, and value which are beyond the issues of propriety normally brought to our attention; and there is some concern that our involvement in management decisions may, in some way, compromise this Office's review of such activities at a future date, should that become necessary.

STATINTL

c. Other provisions of [] (Restrictions on Intelligence Activities) requiring Agency employees to bring questionable activities (including questionable forms of assistance to other agencies) to the attention of the Director or the Inspector General are sufficient to ensure this Office's appropriate role in considering such assistance.

3. Recommendation: That the provisions in paragraph (3), Annex E, [] pertaining to the forwarding of requests for assistance to other agencies to the Inspector General and the Inspector General's review of such requests be deleted. The relevant sections of Annex E are underlined in the Attachment. Specific changes in the wording of Annex E are presently being considered by the Office of the General Counsel in an overall revision of [] to bring it into conformity with Executive Order 12036.

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[]
John H. Waller

Attachment: a/s

CONCUR: []
for General Counsel

APPROVED: []
D. J. []

Director of Central Intelligence

DISAPPROVED: _____

Director of Central Intelligence

DATE: 17 May 1978

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OIG: []

(10 May 78)

PROCEDURES TO OBTAIN APPROVAL FOR ASSISTANCE
TO OR FROM OTHER GOVERNMENT COMPONENTS

- (1) Each responsible official will report to his Deputy Director or Head of Independent Office for approval every request for initiation or continuation of assistance to or from other government components excluding requests:
 - (a) Concerning activities explicitly authorized by NSCID's, DCID's, or by paragraphs 1c(7)(c) through (h) of this regulation.
 - (b) For permission for third agency dissemination.
 - (c) For preparation or passage of information, analyses of information, or reports concerning foreign phenomena, including foreign personalities.
 - (d) For security clearances and related information under Executive Order 10450 or Executive Order 10865.
 - (e) For employment references.
- (2) Reports relating to requests for initiation or continuation of support or cooperation as noted above will cover administrative, financial, or logistical assistance, as well as operational and intelligence support. Such reports will include a description of the activity, relevant dates, organization(s) involved, rationale for activity, financial and manpower requirements, and name of Agency employee to consult for additional information. Every such report which includes a prospective financial commitment by the Agency or which will entitle the Agency to an advance or reimbursement must be referred to the Director of Finance for consideration before final commitment is made. A copy of every report (including requests approved by the Inspector General under the provisions of paragraph (3) below) relating to an activity which will involve either the receipt or expenditure of funds will be provided to the Director of Finance.
- (3) Deputy Directors and Heads of Independent Offices, in assuring the propriety of all undertakings covered by this regulation, will exercise approval authority on requests with which they concur for any new or continuing relationship compatible with relationships for which legality and propriety have been previously established, except requests for activities, undertakings or agreements that will involve policy or resource implications such as:
 - (a) Undertakings that would establish significant new policy or raise questions that suggest the desirability of establishing an Agency-wide policy.
 - (b) Agreements that contain provisions that must be cleared with, or reported to, the Office of Management and Budget.
 - (c) Activities that appear to be in conflict, or overlap with, other existing agreements or understandings with high level officials of other U.S. Government agencies.
 - (d) Arrangements of such complexity, sensitivity, or importance that the Director of Central Intelligence should be informed of them.
 - (e) Undertakings of such magnitude that reprogramming or reallocation of funds will be required.
 - (f) Arrangements which while technically appropriate may appear to conflict with the spirit of existing law or policy.

Deputy Directors and Heads of Independent Offices will forward to the Inspector General any report with which they concur involving an undertaking of a character for which no precedent of legality or propriety has been established or which involves policy or resource

MANAGEMENT

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implications such as those identified above. The Inspector General, after requesting and receiving the written opinion of the General Counsel, will recommend initiation, continuation, termination, or modification of the activity as he may deem appropriate. Where there is disagreement by the Deputy Director, the Inspector General, or the General Counsel, the report will be forwarded to the Director for resolution.

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8.12

19 April 1976 (1057)

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